



NUMBER 13-17-00210-CR

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI - EDINBURG

ELENILSON FLORES RODRIGUEZ,

Appellant,

v.

THE STATE OF TEXAS,

Appellee.

**On appeal from the 389th District Court
of Hidalgo County, Texas.**

MEMORANDUM OPINION

**Before Justices Contreras, Benavides, and Longoria
Memorandum Opinion by Justice Contreras**

Appellant, Elenilson Flores Rodriguez, attempts a second appeal of his September 26, 2014 conviction for aggravated robbery, enhanced to a first-degree felony in trial court cause number CR-4560-13-H. This Court previously issued a memorandum opinion and

judgment on September 8, 2016, regarding this trial court cause number in cause number 13-14-00594-CR.¹

This Court lacks jurisdiction to consider a second appeal from appellant's final conviction. The exclusive post-conviction remedy in final felony convictions in Texas courts is through a writ of habeas corpus pursuant to Texas Code of Criminal Procedure 11.07. TEX. CODE CRIM. PROC. ANN. art. 11.07, § 5 (West, Westlaw through 2015 R.S.) (providing that "[a]fter conviction, the procedure outlined in this Act shall be exclusive and any other proceeding shall be void and of no force and effect in discharging the prisoner"); *Ater v. Eighth Court of Appeals*, 802 S. W.2d 241 (Tex. Crim. App. 1991).

Accordingly, this appeal is DISMISSED for lack of jurisdiction. See TEX. R. APP. P.42.3(a), 43.2(f). Any pending motions are dismissed as moot.

DORI CONTRERAS
Justice

Do not publish.
TEX. R. APP. P. 47.2(b).

Delivered and filed the
1st day of June, 2017.

¹ This Court affirmed the trial court's judgment.